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Source: *Contemporary European History*, Vol. 16, No. 1 (Feb., 2007), pp. 51-69

Published by: Cambridge University Press

Stable URL: <https://www.jstor.org/stable/20081340>

Accessed: 22-03-2019 10:33 UTC

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Sippenhaft, Terror and Fear in Nazi Germany: Examining One Facet of Terror in the Aftermath of the Plot of 20 July 1944

ROBERT LOEFFEL

Abstract

The methods used by the Nazis to control elements of German society have been the focus of intense historical debate. This paper attempts to analyse the implementation of Sippenhaft (family liability punishment) after the 20 July 1944 assassination plot against Hitler. Sippenhaft was advocated for use against the families of the conspirators involved in this plot and also against members of the armed services. Consequently, its implementation became the personal domain of the Reich leader of the SS, Heinrich Himmler, as well as local army commanders, army courts and the Nazi party itself. This article will argue that the inadequacies of its imposition were largely compensated for by its effectiveness as a device of fear.

One of the most highly contested areas of debate concerning Nazi Germany is identifying how much consent, as opposed to coercion, there was within German society. Recent studies, such as those by Eric Johnson and Robert Gellately, have tended to emphasise consent, since they have largely defined Nazi terror as inefficient and not comprehensive.¹ Both Gellately and Johnson see the small numbers of Gestapo officers across Germany as being reflective of the overall 'popularity' of the regime and the fact that this organisation chose to focus on certain marginalised groups and

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- ¹ Robert Gellately, *Backing Hitler: Consent and Coercion in Nazi Germany* (Oxford: Oxford University Press, 2001); Eric Johnson, *Nazi Terror: The Gestapo, the Jews, and Ordinary Germans* (New York: Basic Books, 1999).

individuals, rather than the mass German population.² Relying to varying degrees on Gestapo case files, they portray Nazi terror as largely avoided by the majority of German society. Even more recently, Johnson and Karl-Heinz Reuband have quantified the unconcerned attitude of the population towards the Gestapo with survey results from survivors of the Nazi era revealing that the vast majority 'did not fear arrest by the Gestapo at any time'.³

It can be argued, however, that these perspectives have to some extent ignored the more subtle aspects of the kind of terror that actually confronted elements of German society. They have tended to downplay the nature of fear and the way in which the Nazis' terror apparatus worked at many different levels within the Nazi regime, and so have misinterpreted compliance as representing consent. Dick Geary cautions that 'recent studies that have tended to downplay terror and stress consensus in Germany have surely gone too far'.⁴ First, only focusing on Gestapo files limits an understanding of the nature of German-on-German terror. As pointed out by Geoff Eley, while the numbers of the Gestapo, and the evidence from their case files, do indicate that German-on-German terror was hardly a day-to-day reality, to concentrate on this is to ignore the multitude of other ways, means and agencies for policing civil society that functioned in the Third Reich.⁵ Reducing the importance of terror ignores the level of fear that was sustained in Nazi Germany, as has been clearly recognised by some. For example, both Geary's and Eley's assertions rely on the concept of 'fear' of Nazi terror within German society remaining strong until the very end. However, this begs the question; on what, exactly, was this fear based? If genuine examples of the attempt to impose forms of terror upon the German population can be identified, then the validity of the consensus argument is surely in need of at least some degree of qualification.

The focus of this investigation will be the highly publicised aspect of terror introduced by the regime after 20 July 1944, that of family liability punishment, or *Sippenhaft*, when the relatives of a political dissident were held liable for the latter's crime. Punishment usually took the form of the imprisonment of the relative; however, property confiscation often also formed the basis of the threat. An examination of a specific form of terror and punishment introduced in post-20 July 1944 Germany reveals the complicated nature of this combination of terror and fear. Despite providing evidence of terror, no details of *Sippenhaft* arrests appear in surviving Gestapo files. After 20 July 1944 this punishment was widely promoted and advanced by leading Nazis as well as within the German military, where such crimes as desertion and defeatism among the troops were treated as political in nature. Nevertheless, an investigation of this particular punishment also indicates a clear

2 Gellately, *Backing Hitler*, vii, and Johnson, *Nazi Terror*, 373.

3 Karl-Heinz Reuband and Eric Johnson, *What We Knew: Terror, Mass Murder and Everyday Life in Nazi Germany* (London: John Murray, 2005), 355.

4 Dick Geary, 'Working Class Identities in the Third Reich', in Neil Gregor, ed., *Nazism, War and Genocide* (Exeter: Exeter University Press 2005). Manuscript kindly loaned by the author.

5 Geoff Eley, 'Hitler's Silent Majority: Conformity and Resistance under the Third Reich' (Part II), *Michigan Quarterly Review*, 42, 3 (2003), 561.

reluctance of the regime to inflict it on fellow Germans. Far from being implemented with any consistency, examples exist where its use was rejected completely.

This investigation into *Sippenhaft* makes a specific contribution to the historiography of resistance in Nazi Germany. It has been contended that 'the relationship between National Socialism and the resistance is a key to comprehending the Nazi system'.⁶ However, the conception and remembrance of resistance in Nazi Germany has always been a politically charged matter.⁷ The issue invariably encountered by historians of German resistance to Nazism is trying to explain the lack of popular dissent among the German people, or, as Hans Mommsen described it, the 'resistance without the people'.⁸ Early historiography, confined to the postwar 'Gestapo was everywhere' concept, tended to use *Sippenhaft* as a means of explaining the lack of popular resistance by exaggerating the implementation of this punishment.⁹ Probably the best example is Constantine Fitzgibbon's biography of Hitler's would-be assassin, Claus von Stauffenberg, which claimed that after the 20 July attempt, 'many of his [Stauffenberg's] relatives died in [concentration] camps'.¹⁰ Similarly, in his *History of the German Resistance, 1933–1945*, Peter Hoffmann wrote that after the 20 July, 'not merely individuals, therefore, but their [...] families [...] were to be exterminated'.¹¹

More recently, historians of German resistance such as Joachim Fest have come to recognise the 'arbitrary' nature of *Sippenhaft* in the Third Reich.¹² Both Hoffmann and Fest described the excess that *Sippenhaft* represented – providing lists of those family members arrested – but they do not explain to any extent the complexities in its implementation.¹³ In addition, only the families that were seen to be linked to the 20 July plot are mentioned, linking the punishment to the assassination conspiracy, and *Sippenhaft* is thereby understood only as a means of 'revenge'. The 20 July plot has rightly been described as a 'memory beacon' to the German resistance remembrance.¹⁴ However, the radicalisation of the kinds of punishment the regime was prepared to inflict on resisters, such as *Sippenhaft*, should not solely be attributed to the families of 20 July, but rather as representative of the threats and coercion that elements of the regime were willing to use against signs of opposition.

6 Peter Hoffmann, *German Resistance to Hitler* (Cambridge, MA: Harvard University Press, 1988), 3.

7 Ulrich Schlie, 'Today's View of the Third Reich and the Second World War in German Historiographical Discourse', *The Historical Journal*, 43, 2 (2000), 559.

8 Hans Mommsen, 'Gesellschaftsbild und Verfassungspläne des deutschen Widerstandes', in Walter Schmitthenner and Hans Buchheim, eds., *Der deutsche Widerstand gegen Hitler* (Cologne: Kiepenheuer & Witsch, 1966), 75–6. All translations are by the author.

9 Siegfried von Nositz, 'Dictatorship and Resistance: The Problems of How to Resist', *The Western Political Quarterly*, 20, 1 (1967), 164. See also Gerhard Reitlinger, *The SS: Alibi for a Nation* (Melbourne: Heinemann, 1957), 410.

10 Constantine Fitzgibbon, *The Shirt of Nessus* (London: Cassell, 1956), 220.

11 Peter Hoffmann, *The History of the German Resistance, 1933–1945* (London: MacDonald & Jane's, 1977), 519.

12 Joachim Fest, *Plotting Hitler's Death: The German Resistance to Hitler* (London: Phoenix, 1997), 304.

13 Ibid., 304, and Hoffman, *History of the German Resistance*, 519.

14 Douglas Peifer, 'Commemoration of Mutiny and Resistance in Postwar Germany: Public Memory, History, and the Formation of Memory Beacons', *Journal of Military History*, 65, 4 (2001), 1046.

The military adoption of *Sippenhaft* reveals the broadest attempt by the Third Reich to codify and incorporate the policy. It is now widely accepted that German military courts 'contributed a substantial support to, and helped stabilise and perpetuate, Nazi rule'.¹⁵ Ingo Müller claims that, by the end of the war, in more than 75 per cent of death sentences handed down a clear 'ideological or political aspect played a role' in the judgment.¹⁶ Clearly, the victims of military justice should be considered as part of the opposition to Nazism. Towards the end of the war the military penal code was rapidly changed to accommodate National Socialist ideals, and by January 1945 the military and wartime penal codes had been changed seventeen times.¹⁷ While this created, in theory, the opportunity for the encroachment of Himmler and the SS into military judicial affairs, it also allowed the dispensing of terror against German soldiers to be decentralised. The creation of 'drumhead' courts martial on 15 February 1945, which saw roving bands of specially appointed SS personnel carrying out summary justice against signs of desertion or cowardice among soldiers, is an example of this phenomenon.¹⁸ *Sippenhaft* gave local military commanders, army courts and elements of the Nazi party another means of terrorising troops into following orders. This study of *Sippenhaft* will allow us to understand how this facet of decentralised terror operated against members of the armed forces in the last year of the war.

This article will first determine how widely this punishment was actually inflicted in relation to the conspirators responsible for the 20 July 1944 plot. It will then look at the implementation of *Sippenhaft* in relation to the armed forces. These investigations will reveal that, while the adoption of the rhetoric of *Sippenhaft* certainly demonstrates a radicalisation of the regime, this punishment was in practice not inflicted consistently. Once this has been established, the third part of this article will attempt to offer some explanations for why this was the case.

The conclusions to be drawn are twofold. First, they indicate that, due to the existence of a high degree of rumour and scuttlebutt within Germany society, the implementation of *Sippenhaft* was not necessary for the widespread belief that arrests on this basis had actually occurred. In other words, in a modern state terror need not be wholly applied for it to be effectual in the public consciousness. Even among those who subscribe to the argument which stresses consent in Germany society, there is a clear recognition of the influence of rumour and stories.¹⁹ The existence of these rumours, and the reaction of the regime to them, indicates that the Nazis were still very fearful of alienating support if overt terror were to be increased. This certainly speaks volumes for the nature of the dictatorship. Second, this examination of *Sippenhaft* also demonstrates the various means and agencies within the Third Reich that contributed to the application of terror in all its forms. While Himmler

15 David Kitterman, 'The Justice of the Wehrmacht Legal System: Servant or Opponent of National Socialism?', *Central European History*, 24, 4 (1991), 454.

16 Ingo Müller, *Hitler's Justice: The Courts of the Third Reich* (Cambridge, MA: Harvard University Press, 1991), 185.

17 Kitterman, 'Justice of the Wehrmacht Legal System', 458.

18 Gellately, *Backing Hitler*, 230.

19 *Ibid.*, 201; see also 257.

largely retained control of the actual application of this punishment, this did not stop military commanders, military courts, party functionaries on all levels, even the Hitler Youth, from attempting to exercise forms of *Sippenhaft*. This article aims to make a contribution to the understanding of the way in which terror operated in Nazi Germany during the crucial period after 20 July 1944.

Establishing terror: the immediate reaction to 20 July 1944

The event which set in train the increased use of terror within Germany was the assassination attempt against Hitler by a small group of officers, predominantly from the army, on 20 July 1944. On the night of the failed attempt, Hitler indicated in a national broadcast the actions that would be taken and named potential victims of his wrath. This time there was no blaming of Jews, Freemasons or communists, for the conspirators had been Germans:

Suddenly at a moment when the Germany Army is engaged in a bitter struggle a small group emerged in Germany, just as in Italy, in the belief that they repeat the 1918 'stab in the back'. But this time they have made a big mistake. It is a miniscule group of criminal elements, which will be ruthlessly exterminated.²⁰

Hitler's ranting was echoed by other leading figures, and the attention of the Nazis soon turned from the conspirators to their families. This was exemplified in the radio broadcast by the leader of the German Labour Front, Robert Ley, on 22 July 1944. Ley directed his attack at the German officer corps and the aristocracy in general:

Swine, blue-blooded swine, fools and idiots, criminals and murderers, reactionaries, that is what they are His [apparently Stauffenberg's] wife is Polish born. His sister-in-law is a Russian Bolshevik. These thugs must be destroyed. Every German must know if he betrays Germany his blood will be exterminated; every German must know that.²¹

The following day, Ley expanded on this threat in an editorial for the Nazi newspaper *Der Angriff*. There he said that the military aristocracy was 'degenerate to their very bones, blue-blooded to the point of idiocy. We must exterminate this filth, extirpate it root and branch, it is not enough simply to seize the offensive, we must exterminate the entire breed.'²² While it could be argued that Ley's ranting would have had little effect in bringing about German-on-German terror in the Third Reich, it certainly raised public awareness and fear of this terror. It did not take long for the man in control of the terror machine to threaten *Sippenhaft*. In his newly acquired role as chief of the home army, Heinrich Himmler addressed a gathering of army officers at Grafenwöhr on 25 July 1944. With the events of 20 July 1944

20 Adolf Hitler, *Reden und Proklamationen 1932–1945*, ed. Max Domarus (Wiesbaden: R. Löwit, 1973), 2127–9. Hitler said to Albert Speer in private that '[h]e would annihilate and exterminate every one of them'. Albert Speer, *Inside the Third Reich* (London: Phoenix, 1995), 525.

21 Archiv Peter für Historische und Zeitgeschichtliche Dokumentation, *Spiegelbild einer Verschwörung. Die Kaltenbrunner-Berichte an Bormann und Hitler über das Attentat vom 20. Juli 1944. Geheime Dokumente aus dem ehemaligen Reichssicherheitshauptamt* (Stuttgart: Seewald, 1961), 8–11.

22 Speer, *Inside the Third Reich*, 525.

fresh in his mind, Himmler began his address by outlining the new policy in terms of ancient Germanic cultural practice:

If a man in this Reich is untrue, then he and his family will be punished. This is an old Germanic law. The *Sippe*-haftet for every individual. The *Sippe* has to educate itself. Nobody shall come to us and say: But what you are doing is Bolshevistic. Read the old sagas! If one perjured, or was disloyal, then the *Sippe* was punished, one says they have bad blood. A man has committed treason, the blood is bad, there is traitor blood in it, and it will be exterminated.²³

Himmler made a similar speech to another group of army officers in Bitsch the following day, thus demonstrating his intention to raise consciousness within military circles of his preparedness to employ the tactic.²⁴ He then received official blessing for the use of *Sippenhaft* at a meeting held between himself, Hitler and Field-Marshal Wilhelm Keitel. Himmler's notes of this meeting, at Hitler's headquarters on 30 July 1944, show approval for the arrest of the family of Count von Stauffenberg.²⁵ However, it is perhaps indicative of the delicate nature of this kind of arrest that even at this early stage it was decided that Himmler should retain personal control over those who were arrested under *Sippenhaft*. In other words, control of this punishment was not put into the hands of the Gestapo's rank and file.

The following period saw the mass arrest of the relatives involved in the attempt, including the arrest of the entire families of most of the main conspirators. This even extended to grandparents, parents-in-law, brothers, sisters and children. Even children as young as a few weeks were taken into custody. Estimates of *Sippenhaft* prisoners connected with the conspiracy of 20 July put the total number at 180.²⁶ To analyse these arrests is particularly informative. I have attempted to reconstruct the specifics of who was actually arrested in this period as a means of ascertaining how this terror came into effect and how widespread it was.

Those arrested included the majority of the military and civilian leaders of the conspiracy, along with the families of Colonel von Stauffenberg, Major-General von Tresckow, Lieutenant-General Olbricht, Colonel Wessel Freiherr von Freytag-Loringhoven, Captain Ulrich von Schwerin von Schwanefeld, Ulrich von Hassell and Adam von Trott zu Solz, to name but a few. While many were taken into custody there were notable exceptions, even at this early stage, the most obvious being the family of Count James von Moltke, who were never arrested despite his involvement in the conspiracy. The families of Admiral Canaris and Major-General Hans von Oster, the resistance leaders within the German secret service, were never arrested. According to Oster's daughter, Barbara von Krauss, neither she, her mother and her

23 Personal Files of Reichsführer SS Heinrich Himmler, Bundesarchiv Berlin (BAB), NS 19/4015 (hereafter BAB, NS 19/4015): Himmler at Grafenwöhr 25 July 1944

24 BAB, NS 19/4015: Himmler's speech at Bitsch, 21 July 1944.

25 BAB, NS 19/4015: Notes from meeting between Himmler, Hitler and Keitel, 30 July 1944.

26 Ulrike Hett and Johannes Tuchel, 'Die Reaktionen des NS-Staates auf den Umsturzversuch vom 20 Juli 1944', in Peter Steinbach and Johannes Tuchel, eds., *Widerstand gegen den Nationalsozialismus* (Bonn: Bundeszentrale für Politische Bildung, 1994), 383.

brother nor any members of the Canaris family were ever arrested.²⁷ Despite the scale of these arrests, glaring anomalies still existed; this, I feel, does not lessen the extent of terror at this stage, but certainly confirms that boundaries were present.

Despite these exceptions *Sippenhaft* as terror became a reality immediately after August 1944. This was no doubt enhanced by the arrest and confinement in a special camp of the children of the conspirators under the age of 16. This camp, situated at Bad Sachsa, was established in mid-August 1944 and at its peak accommodated forty-four children. Debate as to the purpose of this camp has been ongoing, since several factors indicate that it may have had an ulterior purpose. It has been suggested that the children were meant to be given up for adoption, since they were given different identities and were generally removed from their siblings when placed in their quarters.²⁸ Illustrating the widespread nature of *Sippenhaft* arrests in this early post-20 July period, a number of the children brought to Bad Sachsa were not connected with the 20 July conspiracy itself; these included the children of a German prisoner of war, Lieutenant-General von Seydlitz, leader of the anti-Nazi propaganda group League of German Officers, and the children of an SS officer sentenced to death for desertion, a major in the police reserve, Bruno Ditter von Dittersdorf.²⁹ Von Dittersdorf deserted his post as a member of the 'Order Police' (*Ordnungspolizei*) in Berlin in late 1943. The appearance of his children Karin (seven years old) and Hans Gerd (two years old) at the camp certainly points towards the initial widening of *Sippenhaft* beyond the 20 July conspiracy at this stage.

The arrest of so many relatives of the accused brought before the first session of the 'People's Court' on 7 August 1944 illustrates the broad sweep of *Sippenhaft* at this time. The accused at this trial represented a cross-section of high-ranking military members of the conspiracy, including Field-Marshal Erwin Witzleben (designated by the conspirators as the new commander-in-chief of the army), Colonel-General Erich Hoepner (designated commander of the home army), Lieutenant-General Paul von Hase (commandant of the Berlin garrison); and Major-General Helmuth Stieff (chief of the army organisation branch). In addition, there were several lower-ranking officers: Lieutenant-Colonel Robert Bernardis, Captain Klausning, and Lieutenants Albrecht von Hagen and Count Peter Yorck von Wartenburg. As far as can be ascertained, the use of *Sippenhaft* against these individuals saw no differentiation between relatives who were themselves members of the military and civilians.

The wife, daughter and son (an army major)³⁰ of Colonel-General Hoepner, as well as his sister, were arrested,³¹ as were the wife and mother-in-law of General

27 Private correspondence between the author and the daughter of Major-General von Oster, Barbara von Krauss, 10 Nov. 2002.

28 Christa von Hofacker, 'Unsere Zeit in Bad Sachsa: Das schwere Jahr 1944/45' (1946), 7, unpublished manuscript in the possession of and kindly supplied by Alfred von Hofacker, private correspondence, 16 April 2002.

29 Polizeidienststellen in Frankreich Bundesarchiv Zentralnachweisstelle Aachen, R 70 (Frankreich) / 1: Report on the trial of Bruno Ditter von Dittersdorf, 5 Feb. 1944.

30 Freya von Hassell and David Forbes-Watt, *A Mother's War* (London: John Butler, 1990), 154.

31 Isa Vermehren, *Reise durch den Letzten Akt: Ein Bericht 10.2.1944 bis 29.6.1944* (Hamburg: Christian Wegner Verlag, 1947), 43.

Stieff. Six relatives of General von Hase were taken into custody (including his wife, three children, brother and brother's wife), as were five relatives of Count Peter Yorck von Wartenburg, including his wife, Marion von Wartenburg, his two sisters and his brother.³² The mother, wife and two young children of Lieutenant-Colonel Bernardis were apprehended along with the mother, father, wife and two young children of Lieutenant von Hagen.³³ Although this cannot be conclusively confirmed, it does not appear that any relatives of the remaining defendants, Captain Klausling or Field-Marshal Witzleben, were detained. At the time, Captain Klausling's father was rector of the University of Prague.³⁴ It can be established with certainty that all but two of the defendants before the court on 15 August 1944 had *Sippenhaft* implemented against their families: Hans-Bernd von Haeften, Major Egbert Hayessen, Bernhard and Hans-Bernd Klamroth, Count Wolf Heinrich von Helldorf, and Adam von Trott zu Solz. The exceptions were Bernhard and Johannes Georg Klamroth, a father and son-in-law.³⁵

Yet, even by the end of the month, of those conspirators appearing before the 'People's Court', fewer had relatives who were being apprehended under *Sippenhaft*. In the hearing held on 30 August 1944 – where the majority of the Paris conspirators were tried – as far as can be determined *Sippenhaft* was only carried out against the families of Lieutenant-General Karl-Heinrich von Stülpnagel and Colonel Cäsar von Hofacker. Other conspirators tried that day included Colonels Eberhard Finckh and Hans-Otfried von Linstow, and Lieutenant-Colonels Karl-Ernst Rathgens and Günther Smend. With regard to these defendants there is no evidence that their families were also arrested. Indeed, it can be ascertained that the family of Colonel Finckh had only to endure a search by the Gestapo and then were left alone.³⁶ That there had been a clear change in policy in this period is confirmed by the appointment of SS-Obergruppenführer Franz Breithaupt as chief of the central SS legal office by Himmler on 27 August 1944, with the responsibility of administering maintenance to the family members of all those found guilty and executed by the 'People's Court'.³⁷ In other words, these people were not to face arbitrary arrests and imprisonment but were to remain in German society.

The decision not to maintain the pace of arrests at this time was followed by the release of many of those relatives already in custody. Approximately a month and

32 Hett and Tuchel, 'Die Reaktionen', 380; *San Diego Union Tribune*, 22 Jun. 2002.

33 Hett and Tuchel, 'Die Reaktionen', 380.

34 His final letter to his parents, written on 8 Aug. 1944, indicates that either they were not under arrest or he was not aware of their arrest. Reich Security Central Office, BAB, R 58/1075: 'Investigation into the 20 July Assassination Attempt'.

35 It should be noted that Clarita von Trott zu Solz was not arrested until 17 Aug. 1944, two days after her husband's trial. Giles MacDonogh, *A Good German: Adam von Trott zu Solz* (London: Quartet Books, 1989), 303. See also Dorothee von Meding, *Courageous Hearts: Women and the Anti-Hitler Plot of 1944*, trans. Michael Balfour and Volker Berghahn (Providence RI: Berghahn Books, 1997), 167; It cannot be determined whether any other members of the Klamroth family were arrested.

36 Private correspondence between the author and the son of Colonel Finckh, Peter Finckh, 22 Aug. 2002.

37 Armed Forces and German Reich File, BAB, NS 1/641: Himmler to Breithaupt, 27 Aug. 1944.

a half after the execution of her husband, Barbara von Haeften was released,³⁸ as were Clarita von Trott zu Solz, Frau von Hase, Marion von Wartenburg, Frau von Stülpnagel, Frau Schwerin von Schwanefeld, and the wife and older daughter of Ulrich von Hassell. Elisabeth Freytag von Loringhoven, Frau von Tresckow, and Frau Olbricht had also been released from detention.³⁹ This indicates very strongly that the policy of *Sippenhaft* quickly came to be considered a liability. Rather than continuing to terrorise the rest of the population further, the authorities released those held. This withdrawal of the policy of *Sippenhaft* in relation to the conspirators of the 20 July is no more clearly illustrated than in connection with the children's camp. Rather than its expansion with subsequent arrests, the number of children held there began to drop significantly and by the end of October 1944 the number of prisoners who remained had fallen to eighteen.⁴⁰

Further confirming the total withdrawal of the *Sippenhaft* policy in relation to the 20 July 1944 conspirators and their families was the curtailing of the forced property confiscation. As with the arrest component of *Sippenhaft*, this also had not been implemented effectively. A glaring example of its outright rejection involved none other than Roland Freisler, the notorious 'hanging judge' of the 'People's Court'. In the case of the family of Count von Moltke, Freisler apparently let the family know even before von Moltke's trial that 'they would retain their home and that their other assets would not be confiscated'.⁴¹ Other relatives of the conspirators were successful in their attempts to retrieve their possessions. After her release in October 1944, Frau von Stülpnagel petitioned the Gestapo to have half her property returned, on the grounds that she and her husband had signed a 'pre-nuptial agreement'. Surprisingly, according to their son, Walter, the Gestapo complied with this request and returned the family home.⁴² After her release, Countess Caroline von Stauffenberg, the mother of Hitler's would-be assassin, was also allowed to return to the family's home at Lautingen on 2 November 1944.⁴³

Certainly in relation to the events of 20 July 1944 and the punishment of the conspirators, the use of *Sippenhaft* soon lost its appeal. Initially, the mass arrest of

38 Von Meding, *Courageous Hearts*, 144.

39 See respectively *ibid.*, 167; Eberhard Bethge, *Dietrich Bonhoeffer: A Biography* (Minneapolis: Fortress Press, 2000), 827; von Meding, *Courageous Hearts*, 105; private correspondence between the author and the son of Count Ulrich Schwerin von Schwanefeld, Count Wilhelm Schwerin von Schwanefeld, 3 Oct. 2002; von Meding, *Courageous Hearts*, 118; Marion von Wartenburg, *The Power of Solitude: My Life in the German Resistance* (Lincoln, NE: University of Nebraska Press, 2000), 54, and von Meding, *Courageous Hearts*, 38; private correspondence between the author and the daughter of Major-General von Tresckow, Dr Uta von Aretin, 24 Aug. 2002; Friedrich Georgi, 'Wir haben das Letzte gewagt'. *General Olbricht und die Verschwörung gegen Hitler* (Freiburg: Herder Taschenbuch Verlag, 1990), 123.

40 Private correspondence between the author and Ingrid von Seydlitz, the daughter of Lieutenant-General von Seydlitz, 17 Oct. 2001. Also von Hofacker, *Unsere Zeit in Bad Sachsa*, 8.

41 Hans-Joachim Koch, *In the Name of the Volk: Political Justice in Hitler's Germany* (New York: I. B. Tauris, 1997), 215.

42 Private correspondence between the author and Walter von Stülpnagel, the son of Lieutenant-General von Stülpnagel, 21 Feb. 2003.

43 Private correspondence between the author and Major-General (ret'd) Count Berthold von Stauffenberg, 22 Feb. 2002.

the relatives of the conspirators was, bar a few notable exceptions, quite widespread. However, not only had this policy been ended by October 1944 but it had also largely been reversed, with the release of many of those relatives who had been arrested. Yet this did not signal the end of the attempt by some elements to implement this policy within the dying Reich.

Expanding the threat: *Sippenhaft* and the army

Sippenhaft punishment gained prevalence in the German army as a whole, thus having a direct impact beyond the narrow circle of the conspirators and their families. Not only did the army face the difficulty of trying to maintain discipline and fighting spirit in the face of increasing and inevitable defeats, but it also had to deal with what it regarded as treasonous elements, groups such as the Soviet-sponsored League of German Officers (Bund Deutscher Offiziere), German prisoners of war actively involved in anti-Nazi propaganda led by former Stalingrad corps commander Lieutenant-General von Seydlitz. An examination of *Sippenhaft* within the army reveals a preparedness to threaten its widespread use combined with a clear reluctance actually to inflict the punishment.

An indication of the new level of terror that was envisaged within the German army was a case involving Lieutenant-General von Sponeck. Von Sponeck, who had been given a death sentence (later commuted to six years' imprisonment) for cowardice on the eastern front in January 1942, had nothing to do with the 20 July conspiracy, but, on the morning of 23 July 1944, before any clear picture of the people involved in the conspiracy to assassinate Hitler had been ascertained, he was taken from his cell and executed by firing squad on the direct orders of Himmler. Subsequent to this, according to his son, Hans-Christoph, who was put into hiding with his grandmother, his mother was arrested at her home in Badenweiler and taken to a transit camp in Baden-Baden, ending up in a concentration camp at Rothenfels at the end of August 1944.⁴⁴

Exemplifying the initial tough stance was the imposition of *Sippenhaft* by the army on the leadership of the League of German Officers after 20 July 1944. In the months preceding that date the activities of this organisation had attracted little official attention. The only retributive actions were taken against the group's leader, Lieutenant-General von Seydlitz, but they were neither public nor draconian; as a 'symbolic' gesture of the family's separation from the traitor, von Seydlitz was expelled from the army in a private court martial, while his wife was forced to divorce him.⁴⁵ Yet these largely insubstantial forms of punishment soon changed and on 3 August 1944 Frau Seydlitz, and in the succeeding days all four of her daughters, ranging in age from 19 to 8, were also arrested.⁴⁶

44 Private correspondence between the author and Hans-Christof von Sponeck, the son of Lieutenant-General von Sponeck, 2 Dec. 2002.

45 Private correspondence between the author and Deitland von Seydlitz, the daughter of Lieutenant-General von Seydlitz, 9 May 2001.

46 Deitland von Seydlitz, 9 May 2001.

As in the case of the relatives of the conspirators of 20 July 1944, many family members of the League of German Officers were taken into custody over the next month. For example, in early August 1944, the family of Major-General Arno von Lenski, a former divisional commander at Stalingrad, was arrested.⁴⁷ On 15 August 1944 Ingeborg Schröder, the wife of Johannes Schröder, a military pastor and another Stalingrad veteran, was arrested along with her three children.⁴⁸ Exact dates cannot be determined, but a sizeable number of the families of the leadership of the League of German Officers were also taken into custody.⁴⁹ It has been estimated that the number of those arrested amounted to nearly fifty.⁵⁰

Unlike the families of the conspirators of 20 July 1944 and the von Seydlitz family, very few of the relatives of the rank-and-file membership of the League of German Officers who were arrested were later released. Thus the terror inflicted against these family members was more ruthless and effective. Most of them remained in custody in concentration camps, and were only freed during the Allied liberation of Germany. However, despite this apparent hardline approach to the membership of the League of German Officers, as with the treatment handed out to the families of the conspirators, arrests completely ceased in the months that followed. Given that the membership of the League of German Officers increased dramatically after the assassination attempt on Hitler, this represents a significant retreat by the regime from this policy in the months following. By late 1944, the League alone claimed a membership of over 4,000 officers, with a high percentage of active members being senior officers.⁵¹ On 8 December 1944, fifty captured German generals signed an appeal to the 'people and army' calling for a revolt against the Nazi regime, out of a total of approximately eighty German generals in Soviet captivity.⁵² Despite the impressive increase in their numbers, it appears that no action was taken against the families of any of the officers who joined the League after 20 July 1944. This is particularly noteworthy since, in contrast to the 20 July 1944 conspiracy, the League of German Officers was continuing to grow and to provide continuing resistance to the Nazis.

The army was also reluctant to inflict *Sippenhaft* on the common soldiers. However, a distinction needs to be made between the treatment of soldiers of 'pure blood' (those from within the *Altreich*), and those considered as 'of German blood' or *Volksdeutsche* (those from occupied areas outside prewar Germany proper, such as Luxembourg, Alsace-Lorraine, and the South Tyrol). Numerous cases do exist involving *Volksdeutsche* troops where, after 20 July 1944, family liability terror was

47 Private correspondence between the author and Gero von Lenski, the son of Major-General von Lenski, 23 Nov. 2002.

48 Private correspondence between the author and Pastor Hans-Dietrich Schröder, the son of Pastor Schröder, 31 Oct. 2003.

49 Sigrid Wegner-Korfes, *Weimar–Stalingrad–Berlin: Das Leben des deutschen Generals Otto Korfes* (Weiden: Verlag der Nation, 1994), 191–2, also 119.

50 *Ibid.*, 191.

51 Wolfgang Leonhard, *Child of the Revolution* (London: C. M. Woodhouse, 1958), 279.

52 Magazine of the League of German Officers, *Freies Deutschland*, 50 (10 Dec. 1944).

inflicted on some scale. However, this article focuses on the application of *Sippenhaft* against 'Germans'.

On 2 August 1944 an order signed by Hitler's new military adjutant, General Burgdorf, and promulgated through to divisional level, declared that 'All soldiers are to be thoroughly and repeatedly informed that every soldier, if he places himself in the service of the enemy, has forfeited his life as well as that of his family.'⁵³ This directive specifically referred to the activities of the leader of the League of German Officers, Lieutenant-General von Seydlitz, and the group itself and also contained a blanket threat against all soldiers who undertook treasonous activities.

Most orders threatening *Sippenhaft* applied to the German army as a whole, indicating the prevalence of resorting to *Sippenhaft* as a device of fear, one that was repeated at every opportunity. Surviving army communiqués suggest that, after the directive by Burgdorf of 2 August 1944, commanders at division and corps levels made their own threats directly to their troops, while others requested the imposition of *Sippenhaft* from higher authorities. On 26 September 1944, General Köckling, commander of the LXXXI corps, defending the area around Aachen, argued that shooting suspected deserters was not sufficiently effective as a deterrent, rather that 'it is requested that against these elements the carrying out of reprisals against the family members transfer to concentration camps, confiscation of property is required.'⁵⁴ About a month later the commander-in-chief of the western front, Field-Marshal von Rundstedt, requested ideas from his subordinates on the infliction of *Sippenhaft*, suggesting that 'the practicality of at least also placing the relatives in a concentration camp with the confiscation of property should be considered'.⁵⁵

This suggests that there was active interest in the concept of *Sippenhaft* within the German army and that it did not simply exist in the form of directives issued from above. What sets this apart from the imposition against the 20 July conspirators and the families of the League of German Officers was that the threat of *Sippenhaft* continued to be widespread after the arrests in relation to these two groups had all but ceased. On 5 November 1944, presumably after receiving von Rundstedt's communiqué, General Hermann Balck, commander of Army Group 'G' under von Rundstedt, conveyed to his troops that 'all soldiers are to be informed that with the discovery of desertion or failure to carry out one's duty, arrest of the *Sippe* [clan] is ordered'.⁵⁶ While orders and treats of *Sippenhaft* within the German army were being quite clearly made at the army and corps levels it was now that the High Command asserted its approval of such a punishment. An order signed by Field-Marshal Keitel and dated 19 November 1944 called for the infliction of *Sippenhaft* if a soldier was

53 Captured Armed Forces documents, Institut für Zeitgeschichte, München (hereafter IfZ) Fd 44/105: Directive of High Command of the Armed Forces, 2 Aug. 1944.

54 Copies in the possession of Herr Otto Bonnemann kindly loaned to the author, private correspondence, 14 April 2003.

55 High Command Armed Forces Leadership Staff File, Bundesarchive, Freiburg, RW 4/v. 702: Directive, Commander-in-Chief West, 31 Oct. 1944.

56 Nuremberg High Command of the Armed Forces documents, IfZ, NOKW-547: Directive of the Commander, Army Group 'G', 5 Nov. 1944.

found guilty of desertion.⁵⁷ Again, the practicality of this threat is questionable, since it was determined that all cases had to be personally approved by Himmler. Reinforcing the threat of *Sippenhaft* against the troops, a subsequent radio broadcast was made by the High Command on 5 February 1945 and a directive issued by Hitler himself on 5 March 1945.⁵⁸

Yet, rhetoric and orders notwithstanding, the actual infliction of this punishment against soldiers guilty of 'political crimes' such as desertion and undermining military strength was very rare. Manfred Messerschmidt, in his work on the justice system of the German army in the Second World War, located around sixty cases where *Sippenhaft* and, specifically, property confiscation, was imposed by military courts against German naval personnel during the closing stages of the war,⁵⁹ the majority of the cases he cites involving German soldiers from outside the *Altreich*. A recent study by Maria Fritsche, using the military archives in Austria, reveals that of a sample of 3,001 cases before military courts, only 35 (1.2 per cent) possibly related to *Sippenhaft*. Again, many of these involved cases of soldiers from outside the *Altreich*. The information is in most cases imprecise, however, and it cannot be determined whether *Sippenhaft* was actually inflicted.⁶⁰ However, of the cases involving *Altreich* Germans, the infliction of *Sippenhaft* can usually be attributed to the discovery of some pre-existing link to one of the 'target' crimes (such as leftist affiliations or racial concerns), thus to an extent confirming the arguments put forward by Gellately and Johnson. Among the surviving Gestapo documents in Düsseldorf, Speyer and Würzburg not a single case outlining the use of *Sippenhaft* has survived.

Despite this obvious reluctance to apply *Sippenhaft* in the army, the flow of directives continued until the end of the war, and so did the dissemination of fear of this punishment among the fighting troops. Brought to the attention of members of the intelligence section of the Supreme Headquarters of the Allied Expeditionary Force was a German army leaflet of early 1945 that stated that punishment had been carried out against two deserters from the 980th Volksgrenadier regiment, on the western front. Besides the charge of desertion, the two soldiers were also accused of divulging military information, and the leaflet pointed out that retribution would fall on both men's families.⁶¹ The intelligence section of the US 7th Army noted following conversation with German prisoners of war on 15 February 1945 that, in general, many 'prisoners of war were seriously afraid of having their families suffer' if they were discovered to have deserted.⁶² One prisoner of war, Sergeant Ruster, was

57 SS and Police Legal Office Files, BAB, NS 7 / 261: Directive of High Command of the Armed Forces, 19 Nov. 1944.

58 Erich Kuby, *Das Ende des Schreckens* (Munich: Paul List Verlag, 1961), 50–51; IfZ, Fd 44/118: Führer directive, Reich Chancellery, 5 March 1945.

59 Manfred Messerschmidt and Fritz Wüllner, *Wehrmachtjustiz im Dienste des Nationalsozialismus: Zerstörung einer Legende* (Baden-Baden: Nomos, 1987), 310.

60 Walter Manoschek, ed., *Opfer der NS-Militärjustiz Urteilspraxis–Strafvollzug–Entschädigungspolitik in Österreich* (Vienna: Mandelbaum-Verlag, 2003), 484.

61 Edward Shils and Morris Janowitz, 'Cohesion and Disintegration in the Wehrmacht in World War Two', *Public Opinion Quarterly*, 12, 2 (1948), 291.

62 National Archives, Washington, NA RG 338: Seventh Army G–2 Reports, Box 10, Feb. 1945.

mentioned as having been captured with a *Passierschein* (a 'pass' issued by the Allies for German troops to surrender unharmed) on his person but was 'deterred from using it by the thought of what might happen to his family'.⁶³ Further interrogations by the 7th Army on 24 February 1945 revealed that many prisoners of war were aware of the stringent measures taken by the Germans to prevent desertion, such as roll-calls by non-commissioned officers, barbed-wire installations, confiscation of paybooks and 'cases in which families of deserters had been apprehended and punishment brought to the attention of the men'.⁶⁴

While the failure to implement the policy effectively against the common soldier is evident, the cases of higher-profile senior officers, such as General von Sponeck, continued to be very likely to be used as deterrent examples. At the conclusion of the battle for Königsberg on 10 April 1945, the commanding officer, General Lasch, was sentenced to death *in absentia* by the army high command and *Sippenhaft* was imposed on his family.⁶⁵ Significantly, the punishment of Lasch and his family was made public through the Nazi press, with an article appearing in the *Völkischer Beobachter* three days later.⁶⁶

Interpreting the characteristics of terror and fear

How can we reconcile this inconsistent application of *Sippenhaft* and the maintenance of some degree of fear of it within German society? Why would the likes of Himmler have retreated to some extent from a policy designed to punish treason? The Nazis, even in the latter stages of the war, went out of their way to punish their political enemies – why did they so clearly draw a line in the midst of their death throes and not inflict this brand of terror? And how can we account for the success of the Nazi regime in sustaining support until the bitter end? There is some evidence which suggests that the concept of *Sippenhaft* was known or feared before events of the 20 July saw the regime openly promote this punishment. Discussing his reasons for not resisting the Nazis, a German blacksmith wrote in November 1943,

My wife is still alive, that's all. It's only for her sake that I don't shout it right into their faces [...] You know these blackguards can only do all this because each of us has a wife or mother at home that he's got to think of... people have too many things to consider. After all, you're not alone in this world. And these SS devils exploit that fact.⁶⁷

Recorded in a British prisoner-of-war camp on 14 February 1944, Lieutenant-General Ritter von Thoma alluded to the implications he saw for those who were taking part in the activities of the League of German Officers, 'all those [officers] are married, and as our Nazi system – the Himmler system – is no different from the

63 Ibid.

64 Ibid.

65 Otto Lasch, *Zuckerbrot und Peitsche: Ein Bericht aus russischer Kriegsgefangenschaft 20 Jahre danach* (Pfaffenhofen/ Ilm: Ilmgau Verlag, 1965), 21.

66 *Völkischer Beobachter*, 13 April 1945.

67 Michael Horbach, *Out of the Night* (London: Vallentine, 1967), 38.

Russian system, it can come about that [for] the families [it] will become considerably more difficult'.⁶⁸

Finding concrete information confirming the fear created by *Sippenhaft* in German society after the 20 July 1944 is, however, difficult. After the assassination attempt on Hitler, the German population was aware of the trials and the harsh punishments being inflicted. A *Sicherheitsdienst* (SD) 'eavesdropping' report from 20 August 1944 claimed that the majority of the population approved of the punishments being meted out to the conspirators.⁶⁹ However, perceptions within the population about these punishments were wildly exaggerated. For obvious reasons, reports of this nature failed to appear in any German newspapers, but several examples can be found in both neutral and Allied media. On 2 August 1944 the Stockholm correspondent for the *New York Times* claimed that Hitler had been prevented from carrying out mass arrests of the families of the German aristocracy, while the same paper reported on 10 August that in the wake of the trial of the first eight conspirators the families of all eight had also been executed.⁷⁰ On 18 August 1944 the *Times* correspondent in Berlin claimed that there was widespread disgust 'among civilian circles' at the punishments being meted out to the conspirators.⁷¹

Given that it is not easy to assess the impact of *Sippenhaft* on German society, how then can we account for the way in which the punishment was administered in the weeks after the 20 July? It appears that the Nazis made a genuine retreat from such an openly terroristic practice against fellow Germans, and that the arrests of German wives and German children were simply not palatable to the regime. This explanation is very hard to prove, but, I believe, it is shown in the following evidence. In keeping with the 'court system' nature of the regime, the arrest of certain family members saw a major dilemma develop for Himmler as a flow of correspondence ensued as individuals tried to obtain the release of various relatives.

Due to the many arrests carried out in July and August 1944, the regime had effectively created enough fear, spread through rumour and innuendo, to make the policy appear as if it was working at its bloodthirsty best. This insight demonstrates that *Sippenhaft* did indeed form an effective part of Nazi German-on-German terror towards the end of the war, but only in the sense that it played an important role in creating an *atmosphere* of fear. In addition, it can be argued, that this generation of fear was assisted by the adoption of the *Sippenhaft* policy by some elements within German society, the army and the Nazi party.

In the months following 20 July, multiple requests were made to the likes of Himmler as influential Nazis tried to free relatives who had been caught in the Gestapo's net. In many of these requests, logic, rather than rejection of a medieval

68 War Office of Military Intelligence, Public Records Office, Kew Gardens, London (hereafter TNA PRO) WO 208 / 4168 (S.R.G.G 835): Von Thoma conversation, 14 Feb. 1944.

69 *Spiegelbild einer Verschwörung: Die Opposition gegen Hitler und der Staatsreich vom 20 Juli 1944 in der SD-Berichterstattung. Geheime Dokumente aus dem ehemaligen Reichssicherheitshauptamt*, ed. Hans-Joachim Jacobsen (Stuttgart: Seewald, 1984), I, 278.

70 *New York Times*, 2 Aug. 1944, 10 Aug. 1944.

71 *The Times*, 18 Aug. 1944.

practice, was argued on behalf of an elderly mother or grandmother. In one respect the arrest of many prominent individuals due to their family relations was causing some measure of disquiet within Nazi Germany. As far as can be ascertained from the German archives, the supreme commander of the U-boat fleet, Admiral von Friedeburg, the Reich's finance minister, Count Schwerin von Krosigk, Reich minister Dr Otto Meissner and even the widow of the First World War naval commander, Grand Admiral von Tirpitz, all wrote letters in order to have various relatives who were detained as part of the 20 July *Sippenhaft* arrests freed.⁷² These took the form of representations to friends within the Nazi party or SS; some attacked the policy itself, asserting the ridiculousness of a policy of arresting the innocent family of a political criminal. These represent only those instances where a letter survives, and hint at only a fraction of the telephone talks or private meetings that took place in the wake of the arrests of 20 July 1944.

Another possible explanation for the abandonment of the actual infliction of *Sippenhaft* is that, in many respects, the kind of disinformation spread in relation to the policy was effective as rumour in a society in which the dissemination of information was tightly controlled. A clear example of the effect of rumour on the fighting troops can be seen in the capture of Aachen and of its commander, Colonel Wilck. After the city's capture on 21 October 1944, the US interrogation of Colonel Wilck indicates that he had initially refused to sign a surrender document that contained the term 'unconditional', since he feared the possible consequences for his family and he did not want to be seen to be 'in the service of the enemy'.⁷³ His interrogation also reveals the influence of the arrests in connection with 20 July 1944 or, more specifically, the rumours associated with the punishment inflicted on the military conspirators:

The colonel [Wilck] finally broke down and admitted that he was not a Nazi. On the contrary, he was a close friend of von Witzleben and many others involved in the 20 July putsch. He acted, however, as he did out of fear for his family. He had definite knowledge that von Witzleben's family and those of many others were executed following their own punishment.⁷⁴

There is also evidence that confirms the acceptance of these practices by the public and party figures. In September 1944 a request was made directly to Himmler from Gunter d'Alquen, the editor of the SS magazine *Das Schwarze Korps*, inviting Himmler to write an article about *Sippenhaft*.⁷⁵ Later, on 25 October 1944, the chief of the security police and the SD, Ernst Kaltenbrunner, received a communication asking for 'clarification on the policy of *Sippenhaft*', since 'there was general confusion in the

72 BAB, NS 19/ 2222: Admiral von Friedeburg to Himmler, 7 Aug. 1944; Files of the Party Chancellery Office, BAB, NS 6/25; Count Schwerin von Krosigk to Himmler, 18 Aug. 1944, Dr Otto Meissner to Himmler, 24 Aug. 1944, and Frau von Tirpitz to Himmler, 31 Aug. 1944.

73 National Archives and Records Administration (M1623), National Archives Washington, DC: 'History of the Office of Strategic Services in London 1942-1945' (hereafter National Archives, 'History of Strategic Services'): Roll 3: 5, 'Morale Operations Branch'.

74 National Archives, 'History of Strategic Services'.

75 BAB, NS 19/ 3098: d'Alquen to Himmler, 21 Nov. 1944.

Gaus [districts]'.⁷⁶ Does this request suggest the existence of a level of apprehension in the general community or the desire among the regional apparatus of the security services to apply the policy, or both?

This interest in promoting *Sippenhaft* was also channelled to the German public via the party mechanisms. The formation of the *Volkssturm*, the Nazi version of the Home Guard, ostensibly under direct Nazi control, in October 1944, allowed for a new set of standards and decrees to be issued to mirror the Nazi ideal of a 'National Socialist army'. On 2 November 1944, as part of its 'statement of duty', it was declared that for those found guilty of crimes of treason, cowardice and undermining military strength, 'the offender will be punished with death, and his family made liable'.⁷⁷ Much later, but still indicating the widespread endorsement of *Sippenhaft*, in late April 1945 a Werewolf (Nazi-organised guerrilla warfare) group in Lower Bavaria issued a directive to the local populace threatening severe punishment to the family of anyone caught hanging out a white flag or engaging in defeatist talk.⁷⁸ Certainly the Nazi party itself was a useful means of spreading the fear of *Sippenhaft* during these last months of the war.

The failure to pass any directives on to subordinates by keeping the application of *Sippenhaft* under the centralised control of Himmler did not prevent individuals on their own authority from practising the policy. In the immediate aftermath of 20 July 1944, after Frau Olbricht had been arrested, the military commander of Dresden, General von Schwedler, decided to exhume the body of her son, killed in action in Russia in 1941, from the local military cemetery in some sort of symbolic *Sippenhaft*.⁷⁹ Elements within the Nazi party were also very interested in promoting the use of *Sippenhaft*. Shortly after the 20 July 1944 plot, the gauleiter of Bayreuth, Fritz Wächtler, wrote several letters to Martin Bormann in an effort to implicate Claus von Stauffenberg's great-uncle, 85-year-old Count Berthold von Stauffenberg, as being responsible for his nephew's actions. For reasons unknown, Wächtler went to great pains to explain how this man obviously bore some responsibility for the attempt. In one letter Wächtler wrote, 'it is not impossible that the old Count was not indifferent to the whole incident'.⁸⁰ His efforts were successful when, with no hard evidence implicating him in the plot, the old count was arrested and held in solitary confinement in Würzburg, where he died on 9 November 1944.⁸¹

It appears that the army both accommodated and encouraged direct Nazi party intervention to enforce this punishment. An interrogation of a German prisoner of war on 13 February 1945 recorded that the soldier remembered being in attendance while his commanding officer personally wrote to his local party leader

76 BAB, NS 6 / 3: Kaltenbrunner to Bormann, 25 Oct. 1944.

77 IfZ, Fa 91/1/1: Statement of Duty, Volkstrum, 2 Nov. 1944.

78 Hans Dollinger, *Decline and Fall of the Nazi Germany and Imperial Japan* (New York: Crown Publishers, 1968), 116.

79 Georgi, 'Wir haben das Letzte gewagt', 119.

80 BAB, NS 6/3: Wächtler to Bormann, 25 July 1944.

81 Private correspondence between the author and Major-General (ret'd) Count Berthold von Stauffenberg, the son of Colonel Claus von Stauffenberg, 12 June 2002.

(*Ortsgruppenleiter*) about two soldiers who had deserted. He allegedly did this for the express purpose that 'action could be taken against their families'.⁸² Examples of unprovoked independent impositions of *Sippenhaft*, while maybe not widespread, certainly were far-reaching in the period after 20 July 1944. Eberhard von Drebber, the son of the Stalingrad divisional commander and League of German Officers member Major-General Moritz von Drebber, was also subject to humiliation because of his father's action, which shows the way in which various organisations outside the Gestapo inflicted their own brands of family punishment. In mid-1944 Eberhard, who was ten years old at the time, was paraded before his Jungvolk group and ceremonially stripped of his insignia. The group leader then announced that this was 'what the son of a traitor looks like'.⁸³ Meanwhile, his mother, a leader in the local Nazi party women's organisation, was summarily dismissed from her post.⁸⁴

The strongest indication of the level of fear that the policy of *Sippenhaft* had created in Germany at this stage, even though it was applied inconsistently, is given by the Gestapo itself. On 14 December 1944, Kaltenbrunner issued a memorandum attempting to suppress rumours about the fate of those arrested under *Sippenhaft*, saying that 'I have enclosed information about the present policy of *Sippenhaftung*. It is necessary to produce this as there have been several occasions whereby *bloodthirsty fantasies* and *rumours* have arisen about liquidating children and exterminating old women.'⁸⁵ Confirming the currency of these rumours, a German prisoner of war, Major Schuster, a member of the 17th Panzer Division, was recorded as saying, on hearing of the survival of a relative of a 20 July 1944 conspirator in the same month, 'Wasn't he killed? I thought all those families had been liquidated?'⁸⁶ This statement confirms that a certain level of misinformation existed within German society, for, as we have seen, by December 1944 only a fraction of those women and children initially arrested were still in custody. However, Kaltenbrunner's language – if reflective of rumours that existed in Germany – is evidence that a level of fear had developed concerning *Sippenhaft*.

Conclusions

Sippenhaft only functioned as a legitimately applied form of terror for a brief period, between August and October 1944, following the assassination attempt on Hitler. The mass arrest of the relatives of the conspirators involved in the attempt as well as of the relatives of the men involved in the League of German Officers in this period show this clearly. Yet, as has been demonstrated, the period during which these people were held, or in which further arrests were carried out, ended after

82 National Archives, Washington, NA RG 338, Box 71. Report 806: ETO Seventh Army Interrogation Center, 13 Feb. 1945.

83 Private correspondence between the author and Eberhard von Drebber, the son of Major-General Moritz von Drebber, 17 Nov. 2003.

84 Ibid.

85 BAB, Security Central Office Files, R 58/1027: Directive of the Chief of the Security Police and the SD Ernst Kaltenbrunner, 14 Dec. 1944 (emphasis in original).

86 TNA PRO, WO 208/ 4140 (SRM 1142): Major Schuster conversation, 24 Dec. 1944.

only a few months. This has implications for the debate about consent and coercion in National Socialist Germany. This article has shown the complex nature of terror within Nazi Germany. The lack of a perceived fear among German society for the Gestapo alone, as put forward by Johnson and Gellately, should not necessarily mean that terror or fear of terror did not exist or was not widespread. As this article has shown with regard to *Sippenhaft*, the attempt to impose terror and consequently fear was not restricted to the Gestapo alone. Army commanders and army courts, as well as various party organs at both central and local level all tried to participate in the infliction of, or took up the call for, punishment of the families of traitors towards the end of the war.

For the reasons examined here, *Sippenhaft* and, by definition, state terror were not a concrete reality for the majority of Germans. Rather, the fear of their application influenced people's behaviour. *Sippenhaft* remained in the public consciousness long after the bulk of the arrests in relation to the 20 July conspiracy had ceased and many of those under arrest had in fact been released. The constant threats of *Sippenhaft* against members of the armed forces played their part in aiding this terror. It can be argued that *Sippenhaft*, after this period, functioned as a device of fear within Nazi Germany, even if not actually employed. While this conclusion is much more difficult to prove, certainly the evidence indicates its effectiveness in terrorising elements of the German population without any physical victims. Terror within the modern state can rely as much on myth and rumour as on reality.